

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

January 19, 2006

In the Matter of
Robert E. Powers, Trustee,
Powers Realty Trust

DEP Docket No. 2005-089
DALA Docket No. DEP-05-857
File No. ACOP-B0-03-2016-SETT-SUSP
Dorchester

FINAL DECISION

I have reviewed the attached Settlement Agreement signed by Robert E. Powers, Trustee, the petitioner, on December 6, 2005 and by Richard J. Chalpin, Regional Director, for the Department's Northeast Regional Office, on December 20, 2005. I have also reviewed the attached Administrative Consent Order with penalty, signed by the same representatives on the same dates (ACOP-NE-05-3A037 or ACOP).

In accordance with paragraph VIII of the ACOP, the petitioner is **ORDERED** to pay a civil administrative penalty in the amount of two thousand five hundred dollars (\$2,500). Payment shall be made consistent with terms of the same paragraph. The ACOP supersedes the Settlement Agreement of December 11, 2003 and resolves the appeal filed by the petitioner regarding the Department's Demand for Stipulated Penalties.



The Department issues this final decision incorporating the Settlement Agreement and Administrative Consent Order. Under the terms of 310 CMR 1.01(8)(c), this proceeding is dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as any appeal to court.

**This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.**

Robert W. Golledge, Jr.
Commissioner